

MESSAGE NO: 0344301 MESSAGE DATE: 12/10/2010

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 0279310  
MESSAGE #  
(s):

CASE #(s): A-475-826

EFFECTIVE DATE: 12/09/2010 COURT CASE #: 10-00271

PERIOD OF REVIEW: 02/01/2008 TO 01/31/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 12/09/2010

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CUT TO LENGTH CARBON QUALITY STEEL PLATE PRODUCTS FROM ITALY PRODUCED AND EXPORTED BY EVRAZ PALINI E BERTOLI S.P.A. (POR 02/01/2008-01/31/2009 )(A-475-826)

NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. SEE PARAGRAPH 3 BELOW.

1. ON 11/24/2010, THE U.S. COURT OF INTERNATIONAL TRADE DISMISSED THE CASE OF EVRAZ PALINI E BERTOLI S.P.A. V. UNITED STATES, COURT NO. 10-00271. AS A RESULT OF THIS DISMISSAL, THE INJUNCTION TO WHICH MESSAGE 0279310 (DATED 10/06/2010) REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN CUT TO LENGTH CARBON QUALITY STEEL PLATE PRODUCTS FROM ITALY FOR THE PERIOD 02/01/2008 THROUGH 01/31/2009 PRODUCED AND EXPORTED BY EVRAZ PALINI E BERTOLI S.P.A. DISSOLVED ON 11/24/2010.

2. FOR ALL SHIPMENTS OF CERTAIN CUT TO LENGTH CARBON QUALITY STEEL PLATE PRODUCTS FROM ITALY PRODUCED AND EXPORTED BY EVRAZ PALINI E BERTOLI S.P.A. (A-475-826-002)(FORMERLY KNOWN AS PALINI E BERTOLI S.P.A., PALINI AND BERTOLI S.P.A., PALINI & BERTOLI S.P.A.), IMPORTED BY OR SOLD TO (AS INDICATED ON THE COMMERCIAL INVOICE OR CUSTOMS DOCUMENTATION) EAST METALS S.A., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/01/2008 THROUGH 01/31/2009, CONTINUE LIQUIDATION IN ACCORDANCE WITH THE INSTRUCTIONS IN PARAGRAPH 1 OF MESSAGE 0236310 DATED 08/24/2010.

3. WITH THE DISMISSAL OF THE LITIGATION, THESE INSTRUCTIONS CONSTITUTE THE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 02/01/2008 THROUGH 01/31/2009. ACCORDINGLY, NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. FOR ALL OTHER SHIPMENTS OF CERTAIN CUT TO LENGTH CARBON QUALITY STEEL PLATE PRODUCTS FROM ITALY YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED

ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:DV).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party